

In response to the outstanding Office Action mailed June 13, 2003, and having a period for response set to expire on October 13, 2003, as extended by the petition for extension of time under 37 CFR § 1.136(a) filed herewith. Please consider the remarks as indicated below.

#### Restriction Response

Applicants provisionally elect Group I, comprising Claims 1-15 with traverse. Applicants reserve the right to pursue nonelected claims in a divisional application claiming priority to the filing date of this application. The Examiner states that Group I, claims 1-15, is "drawn to a pump," while Group II, claims 16-22, is "drawn to a method for adjusting fluid flowing in a pump" and Group III, claims 23-25, is "drawn to system including a power steering system and vehicle."

The Examiner claims that these groups are distinct because the product as claimed in Groups I and III are "related as combination and subcombination" which have "separate utility" because "it need not include an actuated cam formed on a cam ring."

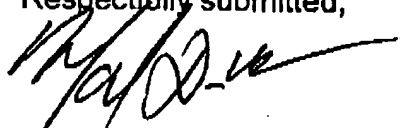
The applicant respectfully disagrees. It is possible to search the claims of Groups I and III of the present invention together due to the fact that the claimed system cannot be produced by a materially different product. In order to produce a system that is configured as claimed in claims 23-25, the apparatus as claimed in claims 1-15 would be used because the invention as claimed necessarily requires a pivotally mounted cam. The system of claims 23-25 would result from the use of the apparatus claimed in claims 1-15. A product that is materially different would not result in the same system as claimed.

The Examiner also claims that these groups are distinct because the product as claimed in Groups I and II may be produced by another and materially different product or process specifically "the method can be practiced with a materially different product, namely one without an inner cavity to define a pump suction path."

The applicant respectfully disagrees. It is possible to search the claims of Groups I and II of the present invention together, due to the fact that the claimed product cannot be produced by a materially different process. In order to produce a structure that is configured as claimed in claims 1-15, the method as claimed in claims 16-22 would be used because a pump necessarily requires an inner cavity to define a pump suction path in order for the pump to operate. The method of claims 16-22 would result in the apparatus claimed in claims 1-15. A process that is materially different would not result in the same product as claimed.

Therefore, Applicants request that the restriction requirement be rescinded and that Groups I, II, and III encompassing claims 1-25 be considered in this application. Questions regarding this response can be directed to Mark D. Weis at the telephone number listed below.

Respectfully submitted,



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Dated: October 10, 2003

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